

WYLIE  
POLICE DEPARTMENT

2024

RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.  
Chad R. Trulson, Ph.D.  
Justice Research Consultants, LLC



## **Executive Summary**

Article 2.132-2.134 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2.134 of the CCP directs that “a comparative analysis of the information compiled under 2.133” be conducted, with specific attention to the below areas:

1. evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Wylie Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE WYLIE POLICE DEPARTMENT REGULATIONS, SPECIFICALLY POLICY 614 OUTLINING THE DEPARTMENT’S POLICY CONCERNING UNBIASED POLICING, SHOWS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**
- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**
- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**
- **THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW REGARDING CCP ARTICLES 2.132-2.134.**

## **Introduction**

This report details an analysis of the Wylie Police Department's policies, training, and statistical information on racial profiling for the year 2024. This report has been prepared to specifically comply with Article 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131 – 2.134 of the CCP and make a determination of the level of compliance with those articles by the Wylie Police Department in 2024. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections: (1) Wylie Police Department's policy on racial profiling; (2) Wylie Police Department's training and education on racial profiling; (3) Wylie Police Department's complaint process and public education on racial profiling; (4) analysis of Wylie Police Department's traffic stop data; (5) additional traffic stop data to be reported to TCOLE; and (6) Wylie Police Department's compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

## **Wylie Police Department Policy on Racial Profiling**

A review of Wylie Police Department Policy 614 "Unbiased Policing" revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP (see Appendix B). There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Policy 614. Wylie Police Department regulations provide clear direction that any form of bias-based policing is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The regulations also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race or ethnicity. Appendix C lists the applicable statute and corresponding Wylie Police Department regulation.

*A COMPREHENSIVE REVIEW OF WYLIE POLICE DEPARTMENT POLICY 614 SHOWS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.*

## **Wylie Police Department Training and Education on Racial Profiling**

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Documentation provided by Wylie Police Department reveals that all officers have received bias-based/racial profiling training. It should also be noted that Wylie Police Department is accredited by Texas Best Practices, and one requirement of that process is that officers are assigned Policy 614 (Unbiased Policing) and are tested on the policy through PowerDMS.

***A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE WYLIE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.***

## **Wylie Police Department Complaint Process and Public Education on Racial Profiling**

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Wylie Police Department Policy 614 Section V and VI cover this requirement. The department also has information on how to file a complaint on their website ([https://www.wylietexas.gov/about\\_us/divisions\\_and\\_units/professional\\_standards.php](https://www.wylietexas.gov/about_us/divisions_and_units/professional_standards.php)).

***A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.***

## **Wylie Police Department Statistical Data on Racial Profiling**

Article 2.132(b) 6 and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Wylie Police Department submitted statistical information on all motor vehicle stops in 2024 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

***ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.***

### **Analysis of the Data**

#### Comparative Analysis #1:

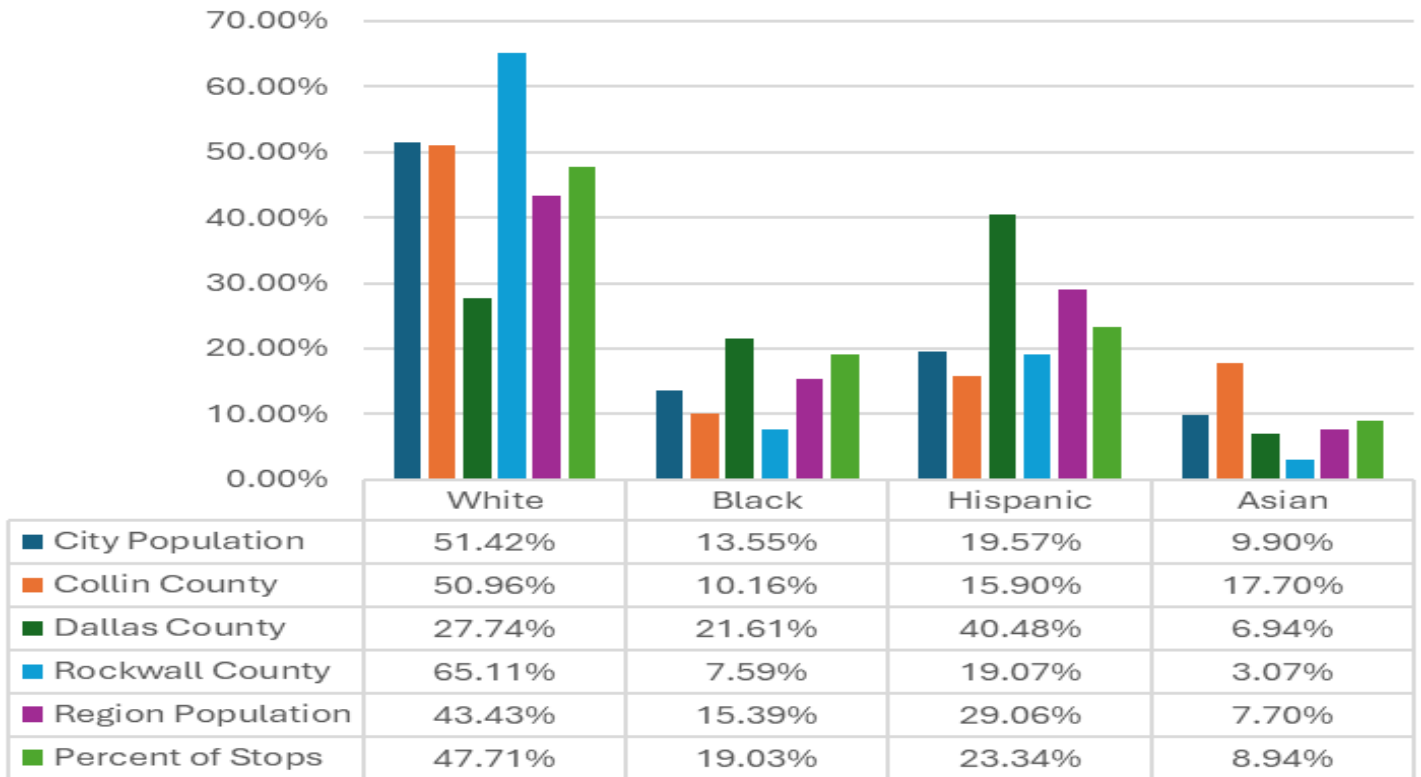
*Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2.134(c)(1)(A)*

The first chart depicts the percentages of people stopped by race/ethnicity among the total 9,500 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2024.<sup>1</sup>

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<sup>1</sup> There were 94 motor vehicle stops of drivers considered Alaska Native/American Indian. These motor vehicle stops were not charted in the first figure of this report due to the small number of stops relative to the population of the City of Wylie and relative to the total number of motor vehicle stops among all drivers (9,500).

**Chart 1: Percentage of Motor Vehicle Stops in Comparison to Benchmarks**



*White motorists* constituted 47.71 percent of all motorists stopped, whereas White residents constitute 51.42 percent of the city population, 50.96 percent of the Collin county population, 27.74 percent of the Dallas county population, 65.11 percent of the Rockwall county population, and 43.43 percent of the region population.<sup>2</sup>

*Black motorists* constituted 19.03 percent of all motorists stopped, whereas Black residents constitute 13.55 percent of the city population, 10.16 percent of the Collin county population, 21.61 percent of the Dallas county population, 7.59 percent of the Rockwall county population, and 15.39 percent of the region population.

*Hispanic motorists* constituted 23.34 percent of all motorists stopped, whereas Hispanic residents constitute 19.57 percent of the city population, 15.90 percent of the Collin county population, 40.48 percent of the Dallas county population, 19.07 percent of the Rockwall county population, and 29.06 percent of the region population.

<sup>2</sup> City and County and Regional populations were derived from 2020 Decennial Census Redistricting Data (DEC) of the U.S. Census Bureau. Region is defined as the 16 county Dallas-Ft. Worth Area including the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise. City and County populations by gender noted later in this report are based on 2019 American Community Survey estimates.

*Asian motorists* constituted 8.94 percent of all motorists stopped, whereas Asian residents constitute 9.90 percent of the city population, 17.70 percent of the Collin county population, 6.94 percent of the Dallas county population, 3.07 percent of the Rockwall county population, and 7.70 percent of the region population.

The chart shows that White motorists are stopped at rates lower than the percentage of White residents found in the city, Collin county, and Rockwall county population but higher than the percentage of White residents in the Dallas county and regional population. Black motorists are stopped at rates higher than the percentage of Black residents found in the city, Collin county, Rockwall county, and regional population, but lower than the percentage of Black residents in the Dallas county population. Hispanic motorists are stopped at rates higher than the percentage of Hispanic residents found in the city, Collin county and Rockwall county population, but lower than the percentage of Hispanic residents in the Dallas county and regional populations. Asian motorists are stopped at rates lower than the percentage of Asian residents found in the city and Collin county population, but higher than the percentage of Asian residents in the Dallas county, Rockwall county, and regional population.

### **Methodological Issues**

*Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the population, cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.*

For example, concluding that a particular driver of a specific race/ethnicity was racially profiled simply because members of that particular racial/ethnic group as a whole were stopped at a higher rate than their proportion of the population—are as erroneous as claims that a particular driver of a specific race/ethnicity could NOT have been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole were stopped at a lower frequency than that group's proportion of the particular population base (e.g., city or county population). In short, aggregate data as required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. Next, we discuss the reasons why using aggregate data—as currently required by the state racial profiling law—are inappropriate to use in making claims that any individual motorist was racially profiled.

#### Issue #1: Using Group-Level Data to Explain Individual Officer Decisions

The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are "racially profiling" motorists. This methodological error, commonly referred to as the "ecological fallacy," defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **In short, one cannot prove that an individual officer has racially profiled any individual motorist based on the rate at which a department stops any given group of motorists.** In sum, aggregate level data cannot be used to assess individual officer decisions, but the state racial profiling law requires this assessment.

## Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population “base-rate” is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the most recent 2020 Census as a population base-rate, this population measure can become quickly outdated, may be inaccurate, and may not keep pace with changes experienced in city and county and regional population measures. Utilizing a different base rate can make differences regarding whether disproportionality exists or not. Even then, as noted above, disproportionality in the rate of stops among different racial/ethnic groups does not automatically equate to a finding of racial profiling.

In addition, the validity of the benchmark base-rate becomes even more problematic if analyses fail to distinguish between residents and non-residents who are stopped. This is because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures. **In sum, a valid measure of the driving population does not exist. As a proxy, census data is used which is problematic as an indicator of the driving population.** In addition, stopped motorists who are not residents of the city, county, or region where the motor vehicle stop occurred are not included in the benchmark base-rate.

## Issue #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 3 near the end of this report, of the 9,500 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 4.9% of the stops (465/9,500). This percentage is consistent across law enforcement agencies throughout Texas. An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.<sup>3</sup> The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 3.05 is “a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.”

Almost always, Wylie PD officers do not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action based on the race/ethnicity of an individual. If the officer does not know the person's race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

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<sup>3</sup> Winkler, Jordan M. (2016). *Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas*. Master's Thesis. University of North Texas.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented later in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person's race/ethnicity and all subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Wylie Police Department in 2024. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP.

### Comparative Analysis #2:

*Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2.134(c)(1)(B)*

As shown in Table 1, there were a total of 9,500 motor vehicle stops in 2024 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 69 percent of stops resulted in a verbal warning (6,508/9,500), roughly 9 percent resulted in a written warning, and roughly 19 percent resulted in a citation. These actions accounted for roughly 97 percent of all stop actions and will be discussed in greater detail below.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 68 percent of stops involving White motorists (3,068/4,532), Black motorists received a verbal warning in roughly 72 percent of stops of Black motorists, Hispanic motorists received a verbal warning in roughly 64 percent of stops of Hispanic motorists, and Asian motorists received a verbal warning in roughly 74 percent of stops of Asian motorists.

Specific to **written warnings**, White motorists received a written warning in roughly 11 percent of stops involving White motorists (486/4,532), Black motorists received a written warning in roughly 8 percent of stops of Black motorists, Hispanic motorists received a written warning in roughly 7 percent of stops of Hispanic motorists, and Asian motorists received a written warning in roughly 9 percent of stops of Asian motorists.

Specific to **citations**, White motorists received a citation in roughly 19 percent of stops involving White motorists (854/4,532), Black motorists received a citation in roughly 16 percent of stops of Black motorists, Hispanic motorists received a citation in roughly 25 percent of stops of Hispanic motorists, and Asian motorists received a citation in roughly 17 percent of stops of Asian motorists.



Of the 9,500 total stops in 2024, 294 **arrests** [written warning and arrest (2), citation and arrest (20) and arrest only (272)] were made, and this accounts for 3.1 percent of all stops. White motorists were arrested in 2.7 percent of stops involving White motorists (124/4,532), Black motorists were arrested in 3.8 percent of stops involving Black motorists, Hispanic motorists were arrested in 4.2 percent of stops involving Hispanic motorists, and Asian motorists were arrested in 0.9 percent of stops involving Asian motorists.

As illustrated in Table 1, most arrests were based on an **outstanding warrant** (54.4%; 160/294) or a **violation of the penal code** (34.4%; 101/294).

Finally, as presented in Table 1, **physical force resulting in bodily injury** occurred during one stop in 2024 out of 9,500 motor vehicle stops. During the stop where physical force resulted in bodily injury, an injury occurred to both the officer and the suspect.

**Table 1: Traffic Stops and Outcomes by Race/Ethnicity**

Stop Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Number of Stops	4,532	1,808	2,217	849	94	9,500
<b>Gender</b>						
Female	1,760	672	621	259	24	3,336
Male	2,772	1,136	1,596	590	70	6,164
<b>Reason for Stop</b>						
Violation of Law	166	65	74	20	1	326
Preexisting Knowledge	39	37	40	2	1	119
Moving Traffic Violation	2,848	1,038	1,290	616	47	5,839
Vehicle Traffic Violation	1,479	668	813	211	45	3,216
<b>Result of Stop</b>						
Verbal Warning	3,068	1,304	1,419	627	90	6,508
Written Warning	486	148	146	73	1	854
Citation	854	288	559	141	2	1,844
Written Warning and Arrest	1	1	0	0	0	2
Citation and Arrest	7	3	8	2	0	20
Arrest	116	64	85	6	1	272
<b>Arrest Based On</b>						
Violation of Penal Code	52	11	32	5	1	101
Violation of Traffic Law	18	4	11	0	0	33
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	54	53	50	3	0	160
<b>Physical Force Resulting in Bodily Injury Used?</b>						
No	4,531	1,808	2,217	849	94	9,499
Yes	1	0	0	0	0	1

### Comparative Analysis #3:

*Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2.134(c)(1)(C)*

In 2024, a total of 339 **searches** of motorists were conducted, or 3.6 percent of all stops resulted in a search (339/9,500). Among searches within each racial/ethnic group, White motorists were searched in 3.2 percent of all stops of White motorists (147/4,532), Black motorists were searched in 5.1 percent of all stops of Black motorists, Hispanic motorists were searched in 4.0 percent of all stops of Hispanic motorists, and Asian motorists were searched in 1.3 percent of all stops of Asian motorists.

As illustrated in Table 2, the most common reason for a search was probable cause (49.3%; 167/339). Among **probable cause searches** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 46 percent of all searches of White motorists (68/147), Black motorists were searched based on probable cause in roughly 60 percent of all searches of Black motorists, Hispanic motorists were searched based on probable cause in roughly 42 percent of all searches of Hispanic motorists, and Asian motorists were searched based on probable cause in roughly 64 percent of all searches of Asian motorists (7 probable cause searches out of a total 11 searches of Asian motorists).

Regarding searches, it should be noted that 54 searches (see Table 2) were based on consent, which are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (9,500), discretionary consent searches occurred in 0.6 percent of stops.

Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 18 percent of all searches of White motorists (26/147), Black motorists were searched based on consent in roughly 12 percent of all searches of Black motorists, Hispanic motorists were searched based on consent in roughly 17 percent of all searches of Hispanic motorists, and Asian motorists were searched based on consent in roughly 18 percent of all searches of Asian motorists (2 consent searches out of a total 11 searches of Asian motorists).

Of the searches that occurred in 2024, and as shown in Table 2, contraband was discovered in 204 or roughly 60 percent of all searches (204/339 total searches). Among the searches in which contraband was discovered, roughly 78 percent of the time the contraband discovered was drugs (160/204). Finally, as illustrated in Table 2, when contraband was discovered, motorists were arrested roughly 42 percent of the time (86/204).

**Table 2: Searches and Outcomes by Race/Ethnicity**

Search Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
<b>Search Conducted</b>						
Yes	147	92	88	11	1	339
No	4,385	1,716	2,129	838	93	9,161
<b>Reason for Search</b>						
Consent	26	11	15	2	0	54
Contraband in Plain View	13	6	8	1	1	29
Probable Cause	68	55	37	7	0	167
Inventory	14	5	13	1	0	33
Incident to Arrest	26	15	15	0	0	56
<b>Was Contraband Discovered</b>						
Yes	91	54	48	10	1	204
No	56	38	40	1	0	135
<b>Description of Contraband</b>						
Drugs	66	50	34	9	1	160
Weapons	2	2	0	0	0	4
Currency	1	0	0	0	0	1
Alcohol	10	0	8	0	0	18
Stolen Property	0	0	0	0	0	0
Other	12	2	6	1	0	21
<b>Did Discovery of Contraband Result in Arrest?</b>						
Yes	43	23	17	3	0	86
No	48	31	31	7	1	118

Comparative Analysis #4:

*Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2.134(c)(2)*

In 2024, internal records indicate that the Wylie Police Department received two complaints alleging that a peace officer employed by the agency engaged in racial profiling. Upon

investigation, one complaint was unfounded, and in the second complaint, the officer was exonerated. Thus, the complaints did not result in disciplinary action against the officers.

#### Additional Analysis:

*Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area.* This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2024, 9,500 motor vehicle stops were made by the Wylie Police Department. Of these stops, 3,336 or roughly 35 percent were female drivers (3,336/9,500), and roughly 65 percent were male drivers (see Table 1).

According to 2019 American Community Survey (ACS) city and county population estimates of the U.S. Census Bureau, the City of Wylie was composed of 51.8 percent females and 48.2 percent males. County population 2019 ACS estimates indicate that females accounted for 50.7 percent of the Collin County population, 50.7 percent of the Dallas County population, and 50.6 percent of the Rockwall County population. Males accounted for 49.3 percent of the Collin County population, 49.3 percent of the Dallas County population, and 49.4 percent of the Rockwall County population.

Overall, in 2024, males were stopped at rates higher than their proportion of the city and county populations.

#### **Additional Information Required to be Reported to TCOLE**

Table 3 provides additional information relative to motor vehicle stops in 2024 by the Wylie Police Department. The data are required to be collected by the Wylie Police Department under the Texas Code of Criminal Procedure Article 2.133.

As previously noted, the Wylie Police Department received two complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2024. Upon investigation, one complaint was unfounded, and in the second complaint, the officer was exonerated. Thus, the complaints did not result in disciplinary action against the officers. Furthermore, as previously discussed, of the 9,500 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 4.9% of the stops (465/9,500).

**Table 3: Additional Information**

<b>Additional Information</b>	<b>Total</b>
<b>Was Race/Ethnicity Known Prior to Stop</b>	
Yes	465
No	9,035
<b>Approximate Location of Stop</b>	
City Street	7,221
US Highway	207
County Road	1,811
State Highway	85
Private Property/Other	176
<b>Number of Complaints of Racial Profiling</b>	
Resulted in Disciplinary Action	0
Did Not Result in Disciplinary Action	2

### **Analysis of Racial Profiling Compliance by Wylie Police Department**

The foregoing analysis shows that the Wylie Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection and reporting of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Wylie Police Department in 2024, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Wylie Police Department as well as police agencies across Texas.

# **Appendix A: Racial Profiling Statutes and Laws**

## **Texas Racial Profiling Statutes**

### **Art. 3.05. RACIAL PROFILING.**

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

### **Art. 2.131. RACIAL PROFILING PROHIBITED.**

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

### **Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.**

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

- (A) Alaska native or American Indian;
- (B) Asian or Pacific Islander;
- (C) black;
- (D) white; and
- (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;



(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

**Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.**

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop;

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

**Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.**

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency,

categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

**Art. 2.136. LIABILITY.**

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

**Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.**

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

- (1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;
- (2) smaller jurisdictions; and
- (3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.04, eff. September 1, 2017.

**Art. 2.138. RULES.**

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

**Art. 2.1385. CIVIL PENALTY.**

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an amount not to exceed \$5,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.




Added by Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 29, eff. September 1, 2009.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.05, eff. September 1, 2017.

# **Appendix B: Agency Policy**



	<b>Wylie Police Department Policies &amp; Procedures</b>			
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## I. POLICY




It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race ethnicity or national origin. Officers are strictly prohibited from engaging in biased policing both in enforcement of the law and the delivery of police services, as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas Constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

## II. PURPOSE

The purpose of this policy is to reaffirm the Wylie Police Department's commitment to unbiased policing in all its encounters between officers and members of the public; to reinforce procedures ensuring public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of department policy and the law.

## III. DEFINITIONS

- A. **Biased Policing:** Discrimination while performing law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers toward classes of individuals or persons based on individual demographics.
- B. **Fair and Impartial Treatment:** A belief and practice that all persons shall be treated in the same manner under the same or similar circumstances, despite race or other distinctions. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be made, when dealing with individuals with physical or mental disabilities, injury, illness, or similar conditions, or when information about them necessitates different treatment.
- C. **Individual Demographics:** Personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status, **or any other identifiable group.**
- D. **Race or ethnicity:** Is defined by Chapter 2 of the Texas Code of Criminal Procedures as, Alaskan native or American Indian, Asian or Pacific Islander, Black, White, and Hispanic or Latino.
- E. **Police Services:** Actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These may include, but are not limited to, such tasks as traffic accidents, medical emergencies, and assistance at fire scenes; lifesaving services; preventive patrol; crime prevention; public information; traffic control; and similar activities.

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F. **Motor vehicle stop:** means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

#### IV. TRAINING

- A. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
- B. All officers shall complete TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.
- C. All employees will receive basic and periodic in-service training and, where deemed necessary, remedial training on subjects related to police ethics, cultural diversity, multiculturalism, human relations, police-citizen interaction, standards of conduct, implicit bias, and related topics suitable for preventing incidents of biased policing.

#### V. COMPLAINT INVESTIGATION

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on individual demographics.
- B. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- C. Any person who receives an allegation of biased policing, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channels or direct the individual(s) on the process to do so. Any employee contacted shall provide to that person instructions on the complaint process and will report any allegation of biased policing to their superior before the end of shift.
- D. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable time period. The investigation shall be documented in writing and any reviewer's comments or conclusions shall be filed with the Chief. When applicable, findings and or suggestions for disciplinary action, retraining or changes in policy shall be filed with the Chief.
- E. If a biased policing complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- F. If there is a department video or audio recording of the events upon which a complaint of biased policing is based, upon commencement of an investigation by this department into the complaint and written request by the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.
- G. The Professional Standards office shall maintain data related specifically to complaints of biased policing. Information shall be provided to the Chief or to his or her designee, in a manner most

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suitable for administrative review, problem identification, and development of appropriate corrective actions.

## VI. PUBLIC EDUCATION

- A. This department will inform the public of its policy against biased policing and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

## VII. DATA COLLECTION AND REPORTING

- A. An officer is required to collect information relating to motor vehicle stops regardless of whether the stop results in a verbal warning, a written warning, a citation being issued or an arrest. ~~in which a citation is issued or an arrest is made as a result of those stops.~~ The following information shall be collected: On the citation officers must include:
1. The person's gender; and
  2. The race or ethnicity of the individual detained; as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
  3. The initial reason for the stop;
  4. Whether a search was conducted as a result of the stop;
  5. If a search was conducted, whether the person detained consented to the search;
  6. The reason for the search, including any probable cause or reasonable suspicion that existed to perform the search;
  7. Whether contraband or other evidence was found in plain view;
  8. Whether the search was a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
  9. If an arrest occurred, was the arrest based on a violation of the Penal Code, traffic law, ordinance, or outstanding warrant;
  10. Whether the person contacted is a resident or non-resident of the City of Wylie;
  11. The street address or approximate location of the stop;
  12. Whether the officer used physical force that resulted in bodily injury (as defined by section 1.07, Penal Code);
  13. Whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual; and,
  14. Whether the peace officer issued a verbal or written warning or a citation as a result of the stop.
- B. The information collected shall be compiled in an annual report covering the period of January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Wylie no later than March 1 of the following year. The report will include:
1. A breakdown of motor vehicle stops by race or ethnicity;

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2. Number of motor vehicle stops citations that resulted in a search broken down by race or ethnicity;
  3. Number of searches that were consensual;
  4. Number of citations or warnings that resulted in custodial arrest for this cited violation or any other violation; and
  5. The number of biased policing complaints to the department.
- C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

#### VIII. USE OF VIDEO AND AUDIO EQUIPMENT

- A. All marked motor vehicles regularly used by this department to make motor vehicle stops shall be equipped with a video camera and transmitter-activated equipment.
- B. Each motor vehicle stop made by an officer of this department that is capable of being recorded by video and audio, or audio as appropriate, shall be recorded.
- C. This department shall retain the video and audio tapes, or digital video and audio recording of each motor vehicle stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in biased policing with respect to a motor vehicle stop, this department shall retain the video and audio tapes or digital video and audio recordings of the stop until final disposition of the complaint.
- D. Supervisors will ensure officers of this department are recording their motor vehicle stops. Two A recordings of each officer will be reviewed at least once every ninety (90) days. These reviews will be documented. This review includes body-worn cameras as well as in-car cameras.
  1. If the equipment used to record audio and video of a motor vehicle stop is malfunctioning or otherwise not operable, officers will drive a vehicle with operable equipment. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized, under normal circumstances.
  2. Supervisors shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate.



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## I. POLÍTICA

Es política de este departamento vigilar de manera proactiva e investigar agresivamente las sospechas de violaciones de la ley. Los oficiales deberán hacer cumplir activamente las leyes estatales y federales de manera responsable y profesional, sin importar raza, etnia u origen nacional. Los agentes tienen estrictamente prohibido participar en actividades policiales parciales tanto en la aplicación de la ley como en la prestación de servicios policiales, como se define en esta política. Esta política será aplicable a todas las personas, ya sean conductores, pasajeros o peatones. Los funcionarios deberán comportarse de manera digna y respetuosa en todo momento al tratar con el público. Dos de los derechos fundamentales garantizados por las Constituciones de los Estados Unidos y de Texas son la igualdad de protección ante la ley y la libertad de registros e incautaciones irrazonables por parte de agentes gubernamentales. Debe respetarse el derecho de todas las personas a ser tratadas por igual y a no ser sometidas a registros e incautaciones irrazonables. Esta política no impedirá que los oficiales ofrezcan asistencia, por ejemplo, al observar una sustancia que se escapa de un vehículo, una llanta pinchada o alguien que parece estar enfermo, perdido o confundido. Esta política tampoco prohíbe detener a alguien sospechoso de un delito basándose en acciones observadas y/o información recibida sobre la persona.

## II. OBJETIVO

El propósito de esta política es reafirmar el compromiso del Departamento de Policía de Wylie con una actuación policial imparcial en todos sus encuentros entre agentes y miembros del público; reforzar los procedimientos que garanticen la confianza pública y mutua mediante la prestación de servicios de manera justa y equitativa; y proteger a nuestros oficiales de acusaciones injustificadas de mala conducta cuando actúan dentro de los dictados de la política del departamento y la ley.

## III. DEFINICIONES

A. **Vigilancia policial sesgada:** Discriminación en el desempeño de funciones policiales o en la prestación de servicios policiales, basada en prejuicios personales o parcialidad de los agentes hacia clases de individuos o personas según su demografía individual.

B. **Trato justo e imparcial:** Creencia y práctica de que todas las personas serán tratadas de la misma manera en circunstancias iguales o similares, independientemente de la raza u otras distinciones. Esto no significa que todas las personas en circunstancias iguales o similares puedan o deban ser tratadas de manera idéntica. Se pueden hacer concesiones y adaptaciones razonables cuando se trata de personas con discapacidades físicas o mentales, lesiones, enfermedades o condiciones similares, o cuando la información sobre ellas requiere un tratamiento diferente.

C. **Demografía individual:** Características personales, que incluyen, entre otras, raza, origen étnico, origen nacional, género, identidad de género, orientación sexual, religión, nivel socioeconómico, edad, discapacidad, grupo cultural, o estatus político, o cualquier otro grupo identificable.

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D. **Raza o etnia:** Está definido por el Capítulo 2 del Código de Procedimientos Penales de Texas como nativo de Alaska o indio americano, asiático o isleño del Pacífico, negro, blanco e hispano o latino.

E. **Servicios policiales:** Acciones y actividades que pueden no incluir directamente la aplicación de la ley pero que contribuyen al bienestar y la seguridad generales del público. Estas pueden incluir, entre otras, tareas tales como accidentes de tráfico, emergencias médicas y asistencia en lugares de incendio; servicios de salvamento; patrulla preventiva; prevención del crimen; información pública; control de tráfico; y actividades similares.

F. **Parada de vehículos de motor:** significa una ocasión en la que un agente del orden público detiene un vehículo motorizado por una presunta violación de una ley u ordenanza.

#### IV. CAPACITACIÓN

A. Los oficiales son responsables de cumplir con toda la capacitación de la Comisión de Aplicación de la Ley de Texas (TCOLE) y los requisitos del Instituto de Gestión de la Aplicación de la Ley de Texas (LEMIT) según lo exige la ley.

B. Todos los oficiales deberán completar el programa de capacitación y educación de TCOLE sobre perfilamiento racial a más tardar en el segundo aniversario de la fecha en que el oficial obtiene la licencia según el Capítulo 1701 del Código de Ocupaciones de Texas o la fecha en que el oficial solicita un certificado de competencia intermedia, cualquiera que sea la fecha. más temprano.

C. Todos los empleados recibirán capacitación básica y periódica en el servicio y, cuando se considere necesario, capacitación correctiva sobre temas relacionados con la ética policial, la diversidad cultural, el multiculturalismo, las relaciones humanas, la interacción policía-ciudadano, las normas de conducta, los prejuicios implícitos y temas relacionados. temas adecuados para prevenir incidentes de actuación policial sesgada.

#### V. INVESTIGACIÓN DE QUEJAS

A. El departamento aceptará quejas de cualquier persona que crea que ha sido detenida o registrada basándose en datos demográficos individuales.

B. Ninguna persona será disuadida, intimidada o coaccionada para presentar una queja, ni discriminada por haber presentado dicha queja.

C. Cualquier persona que reciba una acusación de actuación policial parcial, incluido el oficial que inició la parada, deberá registrar el nombre, la dirección y el número de teléfono de la persona, y remitir la denuncia a través de los canales apropiados o dirigir a la(s) persona(s) en el proceso a hacerlo. Cualquier empleado contactado deberá proporcionarle instrucciones sobre el proceso de queja e informará cualquier acusación de actuación policial parcial a su superior antes del final del turno.

D. La investigación de una queja se llevará a cabo de manera exhaustiva y oportuna. Todas las quejas serán acusadas por escrito al iniciador, quien recibirá la disposición con respecto a dicha queja dentro de un período de tiempo razonable. La investigación se documentará por escrito y los comentarios o conclusiones del revisor se presentarán ante el Jefe. Cuando corresponda, las conclusiones o sugerencias para medidas disciplinarias, reentrenamiento o cambios en la política se presentarán ante el Jefe.

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- E. Si se sostiene una queja policial parcial contra un oficial, resultará en medidas correctivas y/o disciplinarias apropiadas, que pueden incluir el despido.
- F. Si hay una grabación de video o audio del departamento de los eventos en los que se basa una queja de actuación policial parcial, al comienzo de una investigación por parte de este departamento sobre la queja y la solicitud por escrito del oficial objeto de la queja, este departamento proporcionará rápidamente una copia de la grabación a dicho funcionario.
- G. La oficina de Estándares Profesionales mantendrá datos relacionados específicamente con quejas de actuación policial parcial. La información se proporcionará al Jefe o a su designado, de la manera más adecuada para revisión administrativa, identificación de problemas y desarrollo de acciones correctivas apropiadas.

#### VI. EDUCACION PUBLICA

- A. Este departamento informará al público sobre su política contra la actuación policial sesgada y el proceso de quejas. Los métodos que pueden utilizarse para informar al público son los medios de comunicación, la radio, los servicios o presentaciones cívicas, Internet, así como las reuniones de la junta directiva. Además, la información estará disponible según corresponda en otros idiomas además del inglés.

#### VII. RECOPIACIÓN DE DATOS E INFORMES

- A. Se requiere que un oficial recopile información relacionada con vehículos de motor. **Se recopilara independientemente de si el La detención resulta en una advertencia verbal, una advertencia escrita, una citación o un arresto.** ~~en el que un se emite una citación o se realiza un arresto como resultado de esas detenciones. Se recopilara la siguiente información :~~ **En la citación los oficiales deben incluir:**
  1. El sexo de la persona; y
  2. La raza o etnia del individuo detenido; según lo declarado por la persona o, si la persona no indica su raza o origen étnico, según lo determine el oficial lo mejor que pueda;
  3. El motivo inicial de la parada;
  4. Si se realizó una búsqueda como resultado de la detención;
  5. Si se realizó un registro, si la persona detenida consintió en el registro;
  6. El motivo del registro, incluyendo cualquier causa probable o sospecha razonable que existió para realizar el registro;
  7. Si se encontró contrabando u otra evidencia a plena vista;
  8. Si el registro fue resultado del remolque del vehículo de motor o del arresto de cualquier persona en el vehículo de motor;
  9. Si ocurrió un arresto, ¿el arresto se basó en una violación del Código Penal, ley de tránsito, ordenanza u orden judicial pendiente;
  10. Si la persona contactada es residente o no residente de la ciudad de Wylie;
  - 11. La dirección de la calle o ubicación aproximada de la parada;**

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12. Si el oficial utilizó fuerza física que resultó en lesiones corporales (como se define en artículo 1.07 del Código Penal);

13. Si el oficial del orden conocía la raza o etnia del individuo detenido antes de detenerlo; y,

14. Si el oficial del orden público emitió una advertencia verbal o escrita o una citación como resultado de la parada.

B. La información recopilada se compilará en un informe anual que cubra el período del 1 de enero al 31 de diciembre de cada año y se presentará al órgano rector de la ciudad de Wylie a más tardar el 1 de marzo del año siguiente. El informe incluirá:

1. Un desglose de las detenciones de vehículos motorizados por raza o etnia;
2. Número de paradas de vehículos de motor que resultó en una búsqueda desglosado por raza o etnia;
3. Número de búsquedas que fueron consensuadas;
4. Número de citaciones o advertencias que resultó en arresto bajo custodia por esta violación citada o cualquier otra violación; y
5. El número de quejas policiales sesgadas al departamento.

C. El informe anual no incluirá información de identificación sobre ningún individuo detenido o arrestado, y no incluirá información de identificación sobre ningún oficial del orden público involucrado en una parada o arresto.

### VIII. USO DE EQUIPOS DE VIDEO Y AUDIO

A. Todos los vehículos de motor marcados que este departamento utiliza regularmente para realizar paradas de vehículos de motor deberán estar equipados con una cámara de video y un equipo activado por transmisor.



B. Se registrará cada parada de un vehículo de motor realizada por un oficial de este departamento que sea capaz de ser grabada por video y audio, o audio según corresponda.

C. Este departamento conservará las cintas de video y audio, o la grabación de video y audio digital de cada parada de vehículos motorizados durante al menos noventa (90) días después de la fecha de la parada. Si se presenta una queja ante este departamento alegando que uno de nuestros oficiales ha participado en una vigilancia policial parcial con respecto a una parada de vehículo motorizado, este departamento conservará las cintas de video y audio o las grabaciones digitales de video y audio de la parada hasta la disposición final del queja.

D. Los supervisores se asegurarán de que los oficiales de este departamento registren las paradas de sus vehículos motorizados. Dos a las grabaciones de cada oficial se revisarán al menos una vez cada noventa (90) días. Estas revisiones serán documentadas. La revisión incluye cámaras corporales y cámaras integradas en el automóvil.

1. Si el equipo utilizado para grabar audio y video de la parada de un vehículo motorizado no funciona correctamente o no funciona, los oficiales conducirán un vehículo con equipo



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operable. En circunstancias normales, no se utilizarán unidades policiales con equipos de cámaras de video móviles que funcionen mal o que no funcionen correctamente.

2. Los supervisores tendrán la autoridad para asignar unidades con equipos de video móviles que funcionen mal o que no funcionen cuando las situaciones lo exijan.

# Appendix C: Racial Profiling Laws and Corresponding Agency Policy

<b>Texas CCP Article</b>	<b>WYLIE POLICE DEPARTMENT Policy 614 Unbiased Policing</b>
2.132(b)1	Definitions Section
2.132(b)2	Policy Section
2.132(b)3	Complaint Investigation Section
2.132(b)4	Public Education Section
2.132(b)5	Complaint Investigation Section
2.132(b)6	Data Collection and Reporting Section
2.132(b)7	Data Collection and Reporting Section